



Montana Department of
LABOR & INDUSTRY

Laura Fix, Chairperson
Jenny Iverson, Member
Derek Oestreicher, Member

Board Meeting Agenda, Wednesday May 3, 2023

Important Note: Due to the safety measures adopted by the Department of Labor & Industry in response to the COVID-19 pandemic, these reviews will be held remotely/via teleconference only.

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<https://us06web.zoom.us/j/82180724533?pwd=eUJTT2pJNUx6Ykg2M0RRdVNQY1owZz09>

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+1 646 931 3860 US

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+1 312 626 6799 US (Chicago)

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8:30 A.M.

Call to order-
Staff attorney's comments-
Public comments-
Approval of Minutes-

SCHEDULED REVIEWS

Between 8:30 A.M. to 9:00 A.M.

Case # 2354-2021

ISSUE: Whether the claimant is qualified to receive Pandemic Unemployment Assistance (PUA) benefits under Section 2102 of the CARES Act of 2020, Public Law 116-136.

Between 9:00 A.M. to 10:00 A.M.

Case # 652-2023 - SEALED

ISSUE: Whether the claimant is available for work, able to work, and seeking work, and therefore is eligible to receive benefits within the meaning of the law, as provided in *Montana Code Annotated* § 39-51-2104 and Administrative Rules Montana 24.11.452A.

Case # 735-2023 – SEALED

ISSUE 1: Whether there was good cause to accept new evidence, under Administrative Rules Montana 24.7.312(2).

ISSUE 2: Whether the appeal was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (7 days late to OAH).

ISSUE 3: Whether the claimant is available for work, able to work, and seeking work, and therefore is eligible to receive benefits within the meaning of the law, as provided in *Montana Code Annotated* § 39-51-2104 and Administrative Rules Montana 24.11.452A.

Case # 702-2023

ISSUE: Whether the department properly denied the claimant's request for waiver of overpayment restitution as provided in *Montana Code Annotated* § 39-51-3206 and Administrative Rules Montana 24.11.1207.

Between 10:00 A.M. to 11:00 A.M.

Case # 772-2023 - SEALED

ISSUE: Whether the claimant is available for work, able to work, and seeking work, and therefore is eligible to receive benefits within the meaning of the law, as provided in *Montana Code Annotated* § 39-51-2104 and Administrative Rules Montana 24.11.452A.

Case # 768-2023 - SEALED

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Case # 744-2023

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Between 11:00 A.M. to 12:00 P.M.

Case # 661-2023

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Case # 699-2023

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Case # 720-2023

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Between 1:00 P.M. to 2:00 P.M.

Case # 764-2023

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).